D. F. 48 of 94

G. R. S. IX-5]

Previous references.

File No. 8863.

1894-95

191 .

(L. 2.)

File No. 99 of 1894

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2.

Major ~~Part~~ B for July 1895

SUBJECT.

Restoration of Katsimaramajja Patnai, Chintamani Taluk, ~~for~~ to the Kandhagi appointment.

W D 1250—G.P.B.—30,000 - 28-1-19

Countermark

Inward

The circumstances are altogether different. In the case quoted by the Dy Comrs as an authority for the recommendation which he has now submitted the acts complained of were probably delays in remitting the money collected into the Treasury whereas in the present case the Shaukpe

Native Police (Retd)
12th May 892

was convicted of fraudulent ~~cheating~~ deception criminal misappropriation and the dishonest alienation & misappropriation of Govt accounts. The recommendation to remit the punishment already awarded cannot be accepted.

3.7.95

Recd

Recd 4-7-95

Re-Note

The Dy Comrs recommendation to remit the punishment already awarded to Shaukpe Kachhari Nirmalpa, under the circumstances stated by him cannot be accepted.

2) The Dy Comrs case is similar to that of Govt decision No 4104-170 of 16th July 890

108.

Gen. 31.]

1895/3802

R 375

Pet. 610.

From The Deputy Commissioner
Kolar District

To

The Secretary to the Govt
~~Dewan~~ of Mysore.

Dated 13th April 1895

Despatched 16th Do.

Received

General No. 3770

No. 1236

Enclosure No. 1 file

Submitting Vernacular Records connected with Shanbogue Lakshmi-narnappa of Patis and 7 other Villages, Chintamani Taluk.

General Record.

Please put up Govt Decision No: 4104-190 of 26th July 1890. referred to in the Order.

L.R. 99-91-1

4/95

The above No with file put up with Petn No 165. 1891/2. on 28/4/91.

29/4/95

30/4/95

Petition Branch.

Please put up the files referred to

30/4

This may be sent to V. Record, as Petitions of 91-92 are there only.

4-5-95

29/4/95 Rec'd 1/5/95

Kolar Deputy Commissioner's Offi
Dated the 13th April 189

To

The Chief Secretary to the
Government of Mysore.

Sir,

I have the honor to state th
Lakshminarrappa, Shanbhog of Palu
and 7 other villages in the Addagal H
of the Chintamani Taluk was dismisse
from his appointment by an order of t
office No. 125 dated the 12th May 1892 fo
having been convicted of the offence
Criminal Breach of Trust under Sec
409 of the Indian Penal Code and on
Venkatachellamappa a collateral he
(a cousin) was appointed in his place th
being no direct heirs to succeed him.

2. The offence for which Lakshmina
-pa was punished seems to have been
committed when he was yet a youth a
inexperienced and within a short ti
after his nomination to the office.

3. I beg under these circumstances
recommend the restoration of the said
Lakshminarrappa to his appointment on

expiration

3 The records of that case are submitted herewith It will be seen that in that case hospital there was no serious defalcation of Govt money and that Mr Chental Rao complied at once against the Commitation of dismissal into suspension for a limited period and then accepted the lenient view of the Jud. Councillor as he was not very punctual

Thus the decision quoted as Authority was arrived at after considerable doubt as to its propriety

Submitted for orders

V R T 25/6/95

(File put into big board 24/6/95)

Proceedings of the Govt of Mysore

Read letter no 3770/1236 d/13th April 1895 from the Dy Commr, Kolar district recommending that the punishment of dismissal inflicted on Shanbhoge Lakshmanappa, Shanbhoge of Palur and 9 other villages Chintamani taluk, for the offence of ~~having been convicted~~ of criminal breach of trust under Secr 409 of the Indian Penal Code, of which he was convicted & may be Commuted into one of suspension for 7 years from date of dismissal on the ground that the offence was committed by him when he was young and inexperienced and that a similar Commutation of punishment under similar circumstances was

@ in Criminal Cases Nos 24 & 25 of 1891 on the file of the Govt Office to be placed with Kolar Dy Commr's

ordered in G.O. No 4104-96
D 16th July 1890.

Re. 311/P.38 & 6.7.95

Order thereon - Govt observe that the circumstances were altogether different ~~not~~ in the two cases. In the case quoted by the Dy Commr as an authority for the recommendation which he has now submitted the acts complained of were probably delays in remitting to the money collected ~~to~~ the Treasury, whereas in the present case the Shanbhogue was convicted of fraudulent deception and criminal misappropriation and the dishonest alteration and suppression of Govt accounts The recommendation to remit the punishment already awarded cannot be accepted.

Draft ord. 7.7.95

6-7-95
Revenue Secretary

To the Dy Commr Kolar Dt, with records - 7/7

expiration of seven years from the date of his dismissal as was ordered in a similar case in the Bangalore District in Government Decision No. 4134-90 dated 26th September 1890.

4. The file of Government, recording on the subject as per reference 3rd cited together with a copy of the Chief Court Judgment in Criminal Appeal No. 55 of 1891 preferred by Lakshminarayanappa, quashed the conviction referred to above is herewith submitted for reference and closing, return when no longer required.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Kolar District.